UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JANE DOE, Individually and
As Next Friend of JULIE DOE, a minor,

Plaintiffs,

v.

MYSPACE, INC., and
NEWS CORPORATION,

Defendants.

No. 06-cv-7880 (MGC/AJP)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE THAT defendant MySpace, Inc. by its attorneys, Vinson & Elkins L.L.P., will move this Court pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, on the accompanying Memorandum of Law, the Affidavit of Clifford Thau, sworn to October 13, 2006, and the Affidavit of Matthew Polesetsky, sworn to October 12, 2006, before the Honorable Miriam Goldman Cedarbaum, United States District Judge, United States District Court, Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Room 1330 (Courtroom 14A), City of New York, on the 9th day of November, 2006, at 9:30 a.m., or as soon thereafter as counsel can be heard, for an order dismissing this case in its entirety with prejudice.

Dockets.Justia.com

Dated October 13, 2006

Respectfully submitted,

VINSON & ELKINS, L.L.P.

By: /s/ Clifford Thau

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of October, 2006, the Notice of Motion to Dismiss was served by hand delivery, upon:

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